

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

LORI ANN MORRIS,

PLAINTIFF,

V.

FLORIDA TRANSFORMER,

EDWARD NEAL THOMPSON, ET AL.,)

DEFENDANT.

CIVIL CASE NO. 3:05-CV-962-T

NOTICE OF APPEAL

Comes now the Plaintiff and gives notice of appeal to the United States District Court of the decision rendered by the U.S. District Court on October 31, 2006. As grounds, plaintiff says as follows:

1. Said decision by the Court is contrary to law and evidence.
2. The decision of the Court was not supported by the evidence.
3. The trial court judge abused his discretion in excluding plaintiff's expert witness testimony.

Respectfully submitted,

/s/ Henry L. Penick

H.L. PENICK & ASSOCIATES, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing on this the 15th day of November, 2006, by placing a copy of same in the U.S. Mail, postage prepaid and properly addressed as follows:

Richard E. Broughton
W. Evans Brittain
BALL, BALL, MATTHEWS & NOVAK, P.A.
2000 Interstate Park Drive - Suite 204
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/s/ Henry L. Penick